

RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General

AMY MATCHISON (CABN 217022)
Trial Attorney
United States Department of Justice, Tax Division
P.O. Box 683, Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6422
Fax: (202) 307-0054
E-mail: Amy.T.Matchison@usdoj.gov
Western.Taxcivil@usdoj.gov

DAVID L. ANDERSON
United States Attorney
450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102

Attorneys for United States of America

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 5:18-cv-01633-BLF-SVK
)	
Petitioner,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE FEBRUARY
v.)	27, 2020 DISCOVERY HEARING
)	
FRANCIS BURGA; FRANCIS BURGA AS)	
THE ADMINISTRATOR OF THE ESTATE)	
OF MARGELUS BURGA; and)	
RUSSELL MANSKY,)	
)	
)	
Respondents.)	

Petitioner United States of America, respondents Francis Burga (in her individual capacity and as the Administrator of the Estate of Margelus Burga) and Russell Mansky, through their respective undersigned counsel of record, stipulate as follows and respectfully request an order pursuant to this stipulation for a continuance of the discovery hearing date currently set for February 27, 2020.

1. The United States filed its Petition to Enforce Internal Revenue Summonses on March 15, 2018 ("Petition to Enforce Summons"). (Docket No. 1).

2. On June 5, 2018, the Court ordered the Petition to Enforce granted and enforced the six Internal Revenue Service summonses at issue. The Court further ordered that respondents had to provide

1 the United States with revised privilege logs and give testimony as to their efforts to comply with the
2 summonses. (Docket No. 19).

3 3. Respondents provided the United States with revised privilege logs and provided
4 testimony. (Docket No. 21). Efforts at compliance remain underway. (Docket No. 27).

5 4. On May 16, 2019, the United States filed its brief challenging some of respondents'
6 claims of privilege. (Docket No. 26). That matter was set for hearing before Judge Beth Labson
7 Freeman on November 7, 2019.

8 5. On May 17, 2019, the Court referred the privilege matter to Magistrate Judge Susan van
9 Keulen and vacated the November 7, 2019 hearing.

10 6. On July 30, 2019, the Court conducted a discovery hearing and heard the United States'
11 challenges to respondents' claims of privilege. (Docket No. 35).

12 7. On August 16, 2019, the Court issued its Order adjudicating some of the United States'
13 challenges to respondents' claims of privilege and also ordering the parties to a special master for an *in*
14 *camera* review of the remaining documents for which respondents claimed privilege. (Docket No. 37).

15 8. On December 18, 2019, the Court appointed Edward W. Swanson as the special master
16 and set various deadlines related to his review of the claimed privileged material. (Docket No. 44). In
17 its Order, the Court also set a discovery hearing for February 27, 2020, at 10:00 a.m. (*Id.*).

18 9. Due to a scheduling conflict with government counsel's calendar, the parties seek to
19 continue the hearing currently set for February 27, 2020, at 10:00 a.m. to March 3, 2020, at 10:00 a.m.

20 10. This is the parties' first stipulation for a continuance of this hearing.
21
22
23
24
25
26
27
28

1 Dated this 31st day of January, 2020

2 RICHARD E. ZUCKERMAN
3 Principal Deputy Assistant Attorney General

4 /s/ Amy Matchison
5 AMY MATCHISON (CA SBN 217022)
6 Trial Attorney, Tax Division
7 United States Department of Justice

8 Dated this 31st day of January, 2020

9 SIDEMAN & BANCROFT LLP

10 By: /s/ Jay R. Weill
11 Jay R. Weill
12 Steven M. Katz
13 Emily J. Kingston
14 Travis W. Thompson
15 Attorneys for FRANCIS BURGA;
16 FRANCIS BURGA AS THE
17 ADMINISTRATOR OF THE ESTATE OF
18 MARGELUS BURGA

19 Dated this 31st day of January, 2020

20 WOOD ROBBINS, LLP

21 By: /s/ Denise Mejlszenkier
22 Denise Mejlszenkier
23 Attorneys for Respondent RUSSELL
24 MANSKY

25 IT IS SO ORDERED.

26 Dated this ___ day of January, 2020

27 _____
28 SUSAN VAN KEULEN
UNITED STATES MAGISTRATE JUDGE

ECF CERTIFICATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that I obtained concurrence in the filing of this document from the signatories indicated by the conformed signatures (/s/) of Jay R. Weill and Denise Mejlszenkier.

/s/ Amy Matchison
AMY MATCHISON
Trial Attorney, Tax Division
U.S. Department of Justice